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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/035,584	12/28/2001	Guy L. Steele JR.	06502.0366 2869		
22852	• 7590 07/14/2005		EXAM	INER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			DO, CHAT C		
			ART UNIT	PAPER NUMBER	
			2193		
			DATE MAILED: 07/14/2009	5	

Please find below and/or attached an Office communication concerning this application or proceeding.



## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/035,584	STEELE, GUY L.	
Examiner	Art Unit	
Chat C. Do	2193	

under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) a	before the I filling of all Appeal brief	Examiner	Art Unit						
THE REPLY FILED <u>06/23/2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which of places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (ReCS) in compliance with 37 CFR 1.114. The reply must be filed within one of the following imperiods:  a) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expires on: (1) the mailing date of the final rejection.  Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN THE ONLY ONLY ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN		Chat C. Do	2193						
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<ul> <li>b) ∑ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is no event, however, will the statutory period for reply expire later than SIX MONTHS for the final rejection. Examiner Note: if box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MEPE 708.07(f).</li> <li>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) a set forth in (3) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may retuce any earned patent term adjustment. See 37 CFR 1.704(b).</li> <li>NOTICE OF APPEAL.</li> <li>2. The Notice of Appeal was filed on</li></ul>	this application, applicant must timely file one of the followalces the application in condition for allowance; (2) a Notal Request for Continued Examination (RCE) in compliant	wing replies: (1) an amendment, aff otice of Appeal (with appeal fee) in (	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)					
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Extensions of time may be obtained under 37 CFR 1.138(a). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) a set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL  I The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  I The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below);  (b) They raise the issue of new matter (see NOTE below);  (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: (See 37 CFR 1.116 and 41.33(a)).  A The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  The purposes of appeal, the proposed amendment(s): (Sie 37 CFR 1.124).  The status of the claim(s) is (or will be) as follows:  Claim(s) objected to: (See 37 CFR 1.116 and 41.33(a)).  AFFIDAVIT OR OTHER EVIDENCE  B The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing	Examiner Note: If box 1 is checked, check either box (a) or	Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN							
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<ul> <li>Applicant's reply has overcome the following rejection(s):</li></ul>									
<ul> <li>Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:</li></ul>									
<ul> <li>7.</li></ul>	6. Newly proposed or amended claim(s) would be a		timely filed amendme	ent canceling the					
<ul> <li>8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</li> <li>9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</li> <li>10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.</li> <li>REQUEST FOR RECONSIDERATION/OTHER</li> <li>11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See below.</li> <li>12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 06/23/2005</li> </ul>	7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-37.		ll be entered and an e	explanation of					
because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See below.  12. ☑ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 06/23/2005				•					
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HOMAADV EVAMINER	12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	ANIL KHATE	RI UNFR					

**Continuation Sheet (PTO-303)** 

Application No.

Part 11: In responding to art rejection, the applicant argues the following points: First, the primary reference by Huang fails to teach a status based upon data "within the...floating point operand" in page 4; Second, the secondary reference by Nakano fails to teach a system to "determine a first status of a first floating point operand and a second status of a second floating point operand based upon data within the first floating point operand and data within the second floating point operand.

The examiner respectfully points out that First, the tag information in primary reference must be generated or found based on the information of the operands. Thus, it is clearly seen in the reference that the primary reference by Huang teaches a status based upon data "within the...floating point operand". Second, the examiner had never stated that the secondary reference by Nakano disclose a system to "determine a first status of a first floating point operand and a second status of a second floating point operand based upon data within the first floating point operand and data within the second floating point operand, but rather the secondary reference was used to provide or combined the missing feature/limitations in the primary reference which the result is the remainder of operands.